



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, JUNE 27, 2006

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR ROBERT J. BENICH
VICE-CHAIR ROBERT L. ESCOBAR
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER MIKE R. DAVENPORT
COMMISSIONER RALPH J. LYLE
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

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DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

PUBLIC HEARINGS:

- 1) **ZONING AMENDMENT, ZA-06-10: CITY OF MORGAN HILL – TEXT AMENDMENT TO CHAPTER 18.47, AFFORDABLE HOUSING BONUSES AND OTHER INCENTIVES AND CHAPTER 18.55, SECONDARY DWELLING UNITS:** An amendment to Title 18, Chapter 18.47 of the Morgan Hill Municipal Code, amending the Density Bonus provisions for affordable housing to be consistent with the State Density Bonus Law as set forth in Section 65915 of the California Government Code. A further amendment is also proposed under Chapter 18.55 of the Municipal Code, eliminating the Conditional Use Permit requirement and eliminating the local street standards for secondary dwelling units.

Recommendation: Open Public Hearing and continue to July 11, 2006 Planning Commission Meeting.

- 2) **ZONING AMENDMENT, ZA-05-09/DEVELOPMENT AGREEMENT, DA-05-08/SUBDIVISION, SD-05-10: CHURCH-ALCINI:** A request for approval of a precise development plan, subdivision and development agreement for a 3.5-acre site located on the northwest corner of the intersection of Monterey Rd. and Bisceglia Ave. The precise development plan includes 14 single-family attached units, 30 multi-family units and 11,200 sq. ft. of commercial spaces. (APNs 817-01-061, 062, 063 & 064)

Recommendation: Reopen Public Hearing/Approve Mitigated Negative Declaration/Adopt Resolution approving zoning amendment; Adopt Resolution approving development agreement; Adopt Resolution approving Subdivision, with recommendation to forward to the City Council for approval.

- 3) **ZONING AMENDMENT, ZAA-03-03: FOOTHILL-THE INSTITUTE/AMERICAN INSTITUTE OF MATHEMATICS:** A request for an amendment to a Precise Development Plan for an existing PUD to allow an approximately 167,500 sq. ft. above ground mathematics conference center with a 34,385 sq. ft. underground garage and a new surface parking lot to replace an existing parking lot on an approximately 54 acre site located at 14830 Foothill Ave. (APN's 825-30-007 and 825-29-002)

Recommendation: Open Public Hearing/Recommend to City Council adoption of an Addendum to the previously certified Environmental Impact Report (EIR); and Adopt Resolution recommending City Council approval of an amendment to the Precise Development Plan for the PUD zone and exception to the underground utility requirement.

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- 4) **PUBLIC HEARING REGARDING ADOPTION OF HOUSING ELEMENT UPDATE:** This is a City-initiated request to adopt a new Housing Element of the General Plan. The proposed Element represents a comprehensive statement of the City's current and future housing needs and proposed actions to facilitate the provision of housing to meet the needs of all income levels. The Element has been prepared in such a way as to meet the requirements of State law and local housing objectives. A Negative Declaration, finding no significant negative effects on the environment as a result of adoption of the Element, is proposed to be adopted for this project.

Recommendation: Open Public Hearing/Receive staff presentation and provide direction to staff, and continue to July 11, 2006 Planning Commission Meeting.

- 5) **SUMMER MEETING SCHEDULE:** A request to discuss the possible cancellation of the second Planning Commission Meeting in August.

Recommendation: Discuss and approve summer meeting schedule.

TENTATIVE UPCOMING AGENDA ITEMS FOR THE JULY 11, 2006 MEETING:

- **ZA-06-10: City of M.H.–Text Amendment to Chapter 18.47, Affordable Housing Bonuses and Other Incentives and Chapter 18.55, Secondary Dwelling Units**
- **Public Hearing regarding Adoption of Housing Element Update**

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

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If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.